

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAR 29 2010Returned to applicant for correction APR 02 2010

Corrected application filed _____

Map filed _____

The applicant Julian Tomera Ranches, Inc., Battle Mountain DivisionBox 276of Battle Mountain

Street Address or PO Box

City or Town

Nevada 89820-0276

State and ZIP Code

hereby make(s) application for permission to change the

☒ Point of diversion☐ Place of use☐ Manner of use☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

permit #25834 (cert. #7751)1. The source of water is underground

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.8 cfs, 200 acre-feet

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for same as existing

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for irrigation

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

within the SE¼NE¼ Section 5, T.30N., R.45E., M.D.M. from which the NW corner of said section 5 bears N61°05'W., 4,549 ft. dist.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

SE¼NE¼ Sec. 5, T.30N., R.45E., M.D.M. from which the NW corner of said Sec. 5 bears N.63°14'40"W., 4,658.0 feet dist.

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Same as existing (240 acres)

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

T.30N.,R.45E., M.D.M.: portions of Sections 4 & 5,
T.31N.,R.45E., M.D.M.: portion of Section 32,
as described in certificate #7751, and totaling 240 acres.

9. Proposed use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Existing use permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

drilled and cased well, pipelines to sprinkler system.

12. Estimated cost of works \$60,000.00

13. Estimated time required to construct works one year

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use two years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

Applicant has experienced decline in yield from the well under permit #25834, now approximately 44 years of age,
and plans the development of an additional well nearby. Applicant also requests that further action on this application
await the findings of new well operation under the companion temporary permit being sought. At that time, proper
amendment will be made to this application, regarding cfs and duty to be permanently changed.

16. Miscellaneous remarks:

Please send copies of notices and correspondence to the undersigned agent.

William A. Nisbet

wnisbet@chilton-inc.com

E-mail Address

(775) 738-2121

Phone No.

Type or print name clearly

William A. Nisbet

Signature, applicant or agent

Chilton Engineering & Surveying, Ltd.

Company Name

421 Court Street

Street Address or PO Box

Elko, Nevada 89801-3527

City, State, ZIP Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

STATE ENGINEERS OFFICE

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Revised 07/09

\$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

WITHDRAWN BY AGENT

JUN 01 2010

P.E.

STATE ENGINEER